

IC 6-3.1-14

Chapter 14. Maternity Home Tax Credit

IC 6-3.1-14-1

Definitions

Sec. 1. (a) The definitions in IC 16-18-2-219, IC 16-18-2-220, IC 16-18-2-290, and IC 16-18-2-349 apply throughout this chapter.

(b) As used in this chapter, "department" refers to the state department of health.

As added by P.L.117-1990, SEC.2. Amended by P.L.2-1993, SEC.56.

IC 6-3.1-14-2

Entitlement to credit; amount

Sec. 2. Each taxable year a person that owns and operates a registered maternity home located in Indiana under IC 16-26-1 and provides a temporary residence to at least one (1) pregnant woman for at least sixty (60) consecutive days during the pregnancy is entitled to a maternity home tax credit. The amount of the credit for a taxable year equals the lesser of the following:

(1) An amount equal to the sum of two hundred dollars (\$200) for each pregnant woman who resided in the maternity home during the taxable year multiplied by a fraction equal to:

(A) the number of days that each pregnant woman resided in the maternity home during the taxable year; divided by

(B) thirty (30);

minus the amounts collected or owed from each pregnant woman.

(2) Three thousand dollars (\$3,000).

As added by P.L.117-1990, SEC.2. Amended by P.L.2-1993, SEC.57.

IC 6-3.1-14-3

Utilization of tax credit

Sec. 3. With the exception of a husband and wife, if there is more than one (1) taxpayer that owns and operates a registered maternity home, then each taxpayer may utilize the credit in proportion to the taxpayer's ownership interest in the registered maternity home. In the case of a husband and wife who own and operate a registered maternity home jointly and who file separate tax returns, they may take the credit in equal shares or one (1) of them may utilize the whole credit.

As added by P.L.117-1990, SEC.2.

IC 6-3.1-14-4 Repealed

(Repealed by P.L.192-2002(ss), SEC.191.)

IC 6-3.1-14-5

Carryover of tax credit; no carryback or refund of unused credit

Sec. 5. (a) If the amount determined under section 2 of this chapter for a taxpayer in a taxable year exceeds the taxpayer's state tax liability (IC 6-3-1 through IC 6-3-7) for that taxable year, the

taxpayer may carry the excess over to the following taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year.

(b) A taxpayer is not entitled to a carryback or refund of an unused credit.

As added by P.L.117-1990, SEC.2.

IC 6-3.1-14-6

Adoption of rules for determining eligibility and compliance

Sec. 6. Notwithstanding IC 6-8.1-3-3, the board shall adopt rules for determining eligibility and compliance of maternity home operators that apply for maternity home tax credits.

As added by P.L.117-1990, SEC.2.

IC 6-3.1-14-7

Procedures to obtain tax credit

Sec. 7. To obtain a maternity home tax credit provided by this chapter, a taxpayer must:

- (1) file an application with the board on a form prescribed by the board;
- (2) claim the credit in the manner prescribed by the department of state revenue; and
- (3) file with the department a copy of the application completed and approved by the board stating the credit allowed.

As added by P.L.117-1990, SEC.2.

IC 6-3.1-14-8

Maximum annual tax credit

Sec. 8. The amount of tax credits allowed under this chapter may not exceed five hundred thousand dollars (\$500,000) in a state fiscal year.

As added by P.L.117-1990, SEC.2.